

REMARKS

Claim Rejections - 35 U.S.C. 102(e) and 103(a)

Claims 1-15 of the present invention have been rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,463,323 to Conrad-Vlasak et al. ("Conrad-Vlasak" hereafter). Claims 1-15 have also been rejected under 103(a) as being unpatentable over Conrad-Vlasak.

In response, Applicants respectfully point out that, as indicated in MPEP §716.02(f)(1), because Conrad-Vlasak et al. is a U.S. patent which has an international filing date of November 12, 1999 (which is prior to November 29, 2000), the relevant provisions of 35 U.S.C. 102 are those which were in effect prior to the AIPA amendments. As further indicated in MPEP §716.02(f)(1)(I)(c)(3)(a), U.S.C. 102(e) is therefore applied to Conrad-Vlasak et al. as of the earlier of the date of completion of the requirements of 35 U.S.C. 371(c)(1), (2) and (4), or the filing date of the later-filed U.S. application that claimed the benefit of the international application. Therefore, the relevant date regarding the applicability of 102(e) to Conrad-Vlasak et al. is May 21, 2001, which is the date of completion of the requirements of 35 U.S.C. 371(c)(1), (2) and (4). However, the earliest priority date for the present application is May 16, 2000. Because the earliest priority date of the present application is earlier than the applicable 35 U.S.C. 102 date of Conrad-Vlasak, Applicants respectfully request Conrad-Vlasak et al. be removed from consideration under both 35 U.S.C. 102(e) and 103.

Conclusion

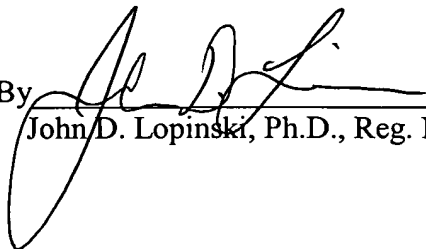
Based on the above arguments and amendments, Applicants believe that claims 1-15 are in condition for allowance and therefore respectfully request the Examiner to allow all the claims.

Applicants herewith request a three-month extension for filing this response. This is accompanied by a Fee Transmittal and a check in the amount of \$475 to cover the fee for a three-month extension to reply. Any additional fee due may be charged to deposit account number 08-2442.

Application No. 09/858,036
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Respectfully submitted,
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